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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

IN RE TFT-LCD (FLAT
PANEL) ANTITRUST LITIGATION

EMW, Inc. v. LG Philips LCD CO., LTD et al.
Case No. C-07-2796 SI

THIS DOCUMENT RELATES TO
ALL INDIRECT PURCHASER ACTIONS

MDL No. M:07-cv-01827 SI

Case No. 07-cv-2796 SI

CLASS ACTION

**DECLARATION IN SUPPORT
OF MOTION FOR ORDER SHORTENING
TIME**

Date: July 10, 2007
Time: 10:00 a.m.

Hon. Susan Illston
Courtroom: 10

1 I, Lingel H. Winters, declare as follows:

- 2
3 1. I am an attorney duly licensed to practice law by the State of California and admitted to
4 practice before this Court. I am principal and owner of the law firm of Lingel H. Winters
5 P.C. and my firm along with my co-counsel Thomas V. Girardi of the law firm of Girardi
6 & Keese serve as attorney of record for plaintiff EMW, Inc. The matters set forth herein
7 are within my personal knowledge, and if called upon and sworn as a witness I could
8 competently testify regarding them. I make this declaration pursuant to 28 U.S.C. sec.
9 1746.
- 10 2. On April 17, 2007, the Panel on Multi-District Litigation transferred MDL Docket No.
11 1827 *In Re TFT-LCD (Flat Panel) Antitrust Litigation* to the Northern District of
12 California and assigned to the Honorable Susan Y. Illston. In its order, the MDL Panel
13 stated: "We conclude that the Northern District of California is an appropriate transferee
14 forum in this docket because over 50 of the actions of which the Panel has been notified
15 have been brought in that district..."
- 16 3. On May 30, 2007 Lingel H. Winters P.C. filed the related case of *EMW, Inc. on behalf of*
17 *itself and all others similarly situated v. LG. Philips LCD CO., LTD et al.* Case No. C-
18 07-2796 SI in the Northern District of California alleging conspiracies to restrain trade in
19 the market for TFT-LCD products.
- 20
21 4. On June 4, 2007 plaintiff filed its Reply Memorandum Indirect Purchaser Leadership
22 Proposal of Lingel H. Winters P.C., in the belief that the June 8, 2007 hearing date for
23 motions was firm.
- 24
25 5. On June 5, this Court continued all pending motions herein to July 10, 2007
- 26
27 6. On June 7, 2007 Lingel H. Winters P.C. filed an Administrative Motion to Consider
28 Whether Cases Should Be Related.

1 7. and found and calculated a combined population for the Repealer States of 58,041,000.

2 By contrast, said reference book stated that the population of the State of California was

3
4 31,431,000 persons.or 35% of the total Repealer state populations are in California

5
6 8. On June 19, 2007, Thomas V. Girardi, Esq. of Girardi & Keese agreed to join Lingel H.
7 Winters P.C. as co-counsel representing EMW, Inc. and the putative class of California
8 Indirect Purchasers of TFT-LCD.

9 9. Lingel H. Winters P.C. was a member of the Executive Committee in *In Re Microsoft*
10 J.C.C.P. No. 4106, 143 Cal. App. 4th 706 which resulted in a settlement for California
11 indirect Purchasers valued at \$1.1 Billion, 2/3 of the unclaimed portions of which were
12 set aside for underprivileged California schools.

13
14 10. I have diligently sought to place before the Court plaintiff's Motions, and to streamline
15 the Court's case management with an eye to judicial economy.

16 I declare under penalty of perjury under the laws of the State of California that the foregoing is
17 true and correct. Executed June 21, 2007 in San Francisco, California.

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20 
21 /s/ Lingel H. Winters

22 Lingel H. Winters
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